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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,962	09/18/2003	Bilhan Kirbas	UTL 00246	8322

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KYOCERA WIRELESS CORP.

P.O. BOX 928289

SAN DIEGO, CA 92192-8289

EXAMINER

DOAN, PHUOC HUU

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/665,962	Applicant(s) KIRBAS ET AL.	
	Examiner PHUOC H. DOAN	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims **1-21** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1-19** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Macaluso (US Pub No: 2005/0079863) in view of Heie (US Pub No: 2004/0229644).**

As to **claim 1**, Macaluso discloses a method for providing an over the air area code update “col. 2, par. [0022], **when a new area code is implemented or updated**” to a wireless communication device communicatively coupled with a wireless communication network (col. 3, par. [0030]). However, Macaluso does not specifically disclose comprising: identifying a new area code for a wireless communication device, wherein the new area code comprises a portion of a unique

identifier for the wireless communication on a wireless communication network;
constructing an update communication, the update communication comprising the
new area code; and sending the update communication to the wireless
communication device via a wireless communication network.

Heie specifically discloses comprising: identifying a new area code for a wireless
communication device (col. 2, par. [0019]), wherein the new area code comprises a
portion of a unique identifier for the wireless communication on a wireless
communication network (Fig. 3, col. 2, par. [0018-0019] **“unique identifier that**
the phone number change information comprises a change information and a
modification information, wherein the phone numbers matching the area code
which combined the phone number and area code”); constructing an update
communication (col. 2, par. [0020]), the update communication comprising the
new area code (col. 3, par. [0022-0023]); and sending the update communication to
the wireless communication device via a wireless communication network (col. 3,
par. [0025-0027]). Therefore, it would have been obvious to one of ordinary skill
in the art at the time the invention was made to provide the update communication
comprising the new area code as taught by Heie to the method of Macaluso in
order to modify to have a new area code without interrupt the communication
services.

As to claim 2, the combination of Macaluso and Heie further disclose the method of claim 1, wherein the new area code is identified from a set of valid area codes (col. 2, par. [0020] of Heie).

As to claim 3, the combination of Macaluso and Heie further disclose the method of claim 1, wherein the update communication further comprises an operation code instructing the wireless communication device to update the area code (col. 3, par. [0023-0026] of Heie).

As to claim 4, Macaluso further discloses the method of claim 3, further comprising at the wireless communication device after receiving the update communication: requesting authorization from an authorization server (col. 4, par. [0036-0038]); receiving authorization from the authorization server in response to the request (col. 5, par. [0040-0041]; and executing the update communication (col. 4, par. [0033-0036]).

As to claim 5, the claim is rejected for the same reason as set forth in claim 1.

As to claim 6, the combination of Macaluso and Heie further disclose the method of claim 5, wherein the set of new area codes comprises only valid area codes (col. 2, par. [0015-0020] of Heie).

As to claim 7, the combination of Macaluso and Heie further disclose the method of claim 5, wherein the update communication further comprises an operation code instructing the wireless communication device to update the set of area codes and the area code (col. 2, par. [0020-0026] of Heie).

As to claim 8, the claim is rejected for the same reason as set forth in claim 4.

As to claim 9, 18, Macaluso discloses a system for providing an over the air area code update “col. 2, par. [0022], **when a new area code is implemented or updated**” to a wireless communication device communicatively coupled with a wireless communication network (col. 3, par. [0030]). However, Macaluso does not specifically disclose comprising: a wireless communication device having a data storage area; a current area code stored in said data storage area; a wireless communication network communicatively coupled with the wireless communication device; and an area code server communicatively coupled with the wireless communication device via the wireless communication network, wherein the area code server sends a new area code to the wireless communication device and the wireless communication device replaces the current area code with the new area code, wherein the new area code comprises a portion of a unique identifier for the wireless communication on a wireless communication network.

Heie specifically discloses comprising: a wireless communication device having a data storage area (Fig. 1, item 104); a current area code stored in said data storage area (col. 2, par. [0015-0018]); a wireless communication network communicatively coupled with the wireless communication device (col. 2, par. [0019-0021]); and an area code server communicatively coupled with the wireless communication device via the wireless communication network (col. 2, par. [0020]), wherein the area code server sends a new area code to the wireless communication device and the wireless communication device replaces the current area code with the new area code (col. 2, par. [0020-0021], and col. 3, par. [0022-0027]), wherein the new area code comprises a portion of a unique identifier for the wireless communication on a wireless communication network (Fig. 3, col. 2, par. [0018-0019] **“unique identifier that the phone number change information comprises a change information and a modification information, wherein the phone numbers matching the area code which combined the phone number and area code”**);. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the update communication comprising the new area code as taught by Heie to the system of Macaluso in order to modify to have a new area code without interrupt the communication services.

As to claim 10, the combination of Macaluso and Heie further disclose the system of claim 9, further comprising a current area code table stored in the data storage area on the wireless communication device (col. 2, par. [0015] of Heie), the current area code table having a plurality of area codes (col. 2, par. [0019-0021] of Heie).

As to claim 11, the claim is rejected for the same reason as set forth in claim 6.

As to claim 12, the claim is rejected for the same reason as set forth in claim 7.

As to claim 13, the claim is rejected for the same reason as set forth in claim 8.

As to claim 14, Macaluso further discloses the system of claim 13, wherein the authorization server “col. 5, par. [0040], authentication policy on the **ADS 410 server**” and the area code server are resident in a single server computer system (col. 5, par. [0041]).

As to claim 15, the claim specifies the computer program necessary to perform the method steps as specified in claim 1 and is therefore rejected for the same reasons.

As to claim 16, the claim is rejected for the same reason as set forth in claim 2.

As to claim 17, the claim is rejected for the same reason as set forth in claim 3.

As to **claim 19**, Macaluso further discloses all the limitation of claim in col. 4, par. [0032-0033].

Allowable Subject Matter

4. Claims **20-21** are allowed.

As to claim 20, the prior art of record in alone, or combination do not disclose a wireless communication device, comprising: a data storage area having a current area code and a current area code table, wherein the current area code is included in the current area code table; a runtime engine configured to receive an update instruction via a wireless communication network, the update instruction comprising a new area code, a new area code table, a new area code operation code, and a new area code table operation code; an operation code library comprising the new area code operation code and the new area code table operation code; a first set of runtime instructions corresponding to the new area code operation code; and a second set of runtime instructions corresponding to the new area code table operation code, wherein the wireless communication device receives the update instruction and executes the runtime instructions corresponding to the new area code table operation code to replace the current area code table in the data storage area with the new area code table and executes the runtime

instructions corresponding to the new area code operation code to replace the current area code in the data storage area with the new area code.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shaffer (US Patent No: 6,351,636) discloses “**System and method for automatic area code updating**”.

Mittal (Us Pub No: 2002/0160763) discloses “**Apparatus, and an associated method, by which to provide operation parameters to a mobile station**”.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER G. KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phuoc Doan
11/22/05


11/28/05
LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER